

Attorney's Docket No.: 05542-459005 / 5353C2/CMP

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wallace T.Y. Tang                      Art Unit : 1763  
 Serial No. : 09/909,766                      Examiner : Sylvia Macarthur  
 Filed : July 19, 2001  
 Title : IN-SITU REAL-TIME MONITORING TECHNIQUE AND APPARATUS FOR  
         ENDPOINT DETECTION OF THIN FILMS DURING  
         CHEMICAL/MECHANICAL POLISHING PLANARIZATION

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)**

APPLIED MATERIALS, INC., is the assignee of the entire right, title, and interest in the above application, and in U.S. Patent Application No. 09/134,147 by virtue of an assignment from the inventors of the application identified above recording in the Patent and Trademark Office at Reel 011129, Frame 0589 on August 29, 2000.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. Patent Application No. 09/134,147, provided that any patent granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent Application No. 09/134,147.

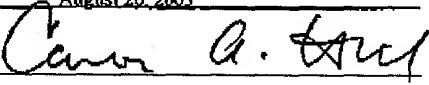
The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S. Patent Application No. 09/134,147 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or

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| Carlos A. Brasil                                    |  |
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terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent Application No. 09/134,147.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for \$220 which includes the \$110 for the terminal disclaimer fee. Please charge any appropriate fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 05542/459005.

Respectfully submitted,

Date: August 20, 2003

  
Tim H. Pham  
Reg. No. 48,589

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TERMINAL DISCLAIMER

APPLIED MATERIALS, INC., is the assignee of the entire right, title, and interest in the above application, and in U.S. Patent No. 5,949,927 by virtue of an assignment from the inventors of the application identified above recording in the Patent and Trademark Office at Reel 011129, Frame 0589 on August 29, 2000.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. Patent No. 5,949,927, provided that any patent granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 5,949,927.

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S. Patent No. 5,949,927 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed

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August 20, 2003

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*Carlos A. Brasil*

Signature

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